

 <b>KENTUCKY CORRECTIONS</b> Policies and Procedures	Policy Number	Total Pages
	27-04-02	6
	Date Filed	Effective Date
	*	January 1, 2012
Authority/References  KRS 196.030, KRS 196.035	Subject  <b>EXTERNAL MOVEMENT</b>	

## I. DEFINITIONS

“Custody” means restraint by a public servant pursuant to a lawful arrest, detention, or an order of court for law enforcement purposes, but shall not include supervision of probation or parole or constraint incidental to release on bail.

“Detention facility” means the building and its premises used for the confinement of a person:

- A. Charged with or convicted of an offense;
- B. Alleged or found to be delinquent;
- C. Held for extradition or as a material witness; or
- D. Otherwise confined pursuant to an order of court for law enforcement purposes.

“Escape” is defined in KRS 520.010(5).

“External Movement” means information entered electronically in the offender management system which contains information concerning a convicted felon that enters the custody of a jail or institution.

"Halfway house" means a residential facility, located in the community, which provides services to felons, misdemeanants, ex-offenders, probationers, parolees, and pre-sentence and pre-release participants.

“Recovery Kentucky Center” means an intensive secured substance abuse recovery program pursuant to KRS 196.285.

## II. POLICY and PROCEDURES

- A. External Movement Information Entry

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An officer shall complete an External Movement entry in the offender management system by the next business day if the officer:

1. Is notified that a felony offender has been final sentenced, committed to jail condition of probation,
2. Receives a court order committing a felony offender to the custody of the Department
3. Places an offender in custody on a parole violation, or
4. Places an offender in a Department approved intensive secured substance abuse recovery program.

B. Notification

1. Alternative Sentence

External movements for offenders who are placed in custody for alternative sentence or pending entrance to drug court shall be entered as follows:

- a. Upon commitment, the officer shall enter an external movement marking the type as Special Admission and the reason as Alternative Sentence.
- b. If the offender is ordered to serve a period of confinement in increments:
  - (1) For each discharge prior to completion of the alternative sentence, the officer shall enter an external movement marking the movement type as Released from Jail (not PV) and the reason as Alternative Sentence, and
  - (2) For each subsequent admission prior to completion of the alternative sentence, the officer shall enter an external movement marking the movement type as Return to Jail (not PV) and the reason as Alternative Sentence.
  - (3) The officer shall not enter external movements for drug court sanctions.
- c. When the offender completes service of the alternative sentence, the officer shall enter an external movement marking the

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movement type as Discharged and the reason as Alternative Sentence Expired.

2. New Felony Commitment

For an offender who is not currently incarcerated that is committed as a result of a new felony conviction or probation revocation, which results in a sentence of prison confinement, the officer shall enter an external movement marking the movement type as New Commitment and the reason as Controlled Intake Pending.

3. Release on Parole or Mandatory Reentry Supervision

- a. For an inmate being released from a county jail facility or halfway house on parole supervision, the officer shall, upon the inmate signing a parole certificate, enter an external movement marking the movement type as Paroled and selecting the most applicable reason.
- b. For an inmate being released from a county jail facility or a halfway house on mandatory reentry supervision, the officer shall, upon the inmate signing a MRS certificate, enter an external movement marking the type as Mandatory Reentry Supervision and selecting the most applicable reason.

4. Parole Violator (Technical) or Mandatory Reentry Supervision Violator (Technical)

External movements for offenders who are lodged on detainers for technical parole violations, or technical MRS violations shall be entered as follows:

- a. If the parolee is lodged, the officer shall enter an external movement marking the type as Parole Violator (Arrested) and the reason as Technical Violator.
- b. If the parolee is released from custody and returned to supervision without having parole revoked, the officer shall enter an external movement marking the movement type as Return to Comm. Supv. and the reason as Parole Resumed.
- c. If the MRS client is lodged, the officer shall enter an external movement marking the type as MRS Violator (Arrested) and the reason as Technical Violator.

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- d. If the MRS client is released from custody and returned to supervision without having parole revoked, the officer shall enter an external movement marking the movement type as Return to Comm. Supv. and the reason as Parole Resumed.

#### 4. Parole or Probation Discretionary Detention

External movements for offenders who are lodged on detainers for discretionary detention shall be entered as follows:

- a. If the offender is lodged, the officer shall enter an external movement marking the type as Parole Violator (Arrested) or Special Admission and the reason as Discretionary Detention Began.
- b. If the offender is released from discretionary detention, the officer shall enter an external movement marking the type as Returned to Community Supervision or Discharged and the reason as Discretionary Detention Ended.

#### 5. Re-Commitment of a Parolee, MRS Client or Shock Probationer

- a. If a shock probationer is recommitted to custody for revocation of shock probation, an external movement shall be entered marking the movement type as Shock Probation - Revoked and the reason as Technical Violator.
- b. If a parolee receives a new felony conviction that was committed while on parole, an external movement shall be entered marking the movement type as Returned Parole Violator and the reason as New Sentence.
- c. If a MRS client receives a new felony conviction that was committed while on MRS, an external movement shall be entered marking the movement type as Returned MRS Violator and the reason as New Sentence.
- d. If a shock probationer receives a new felony conviction prior to having shock probation revoked, an external movement shall be entered marking the movement type as Recd Addl Comm - Prob/Parole Continues and the reason as New Sentence.

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- e. If the parolee receives a new felony conviction that was committed prior to being released on parole, an external movement shall be entered marking the movement type as Recd Addl Comm - Prob/Parole Continues and the reason as New Sentence.
  - f. If the MRS client receives a new felony conviction that was committed prior to being released on MRS, an external movement shall be entered marking the movement type as Recd Addl Comm - Prob/Parole Continues and the reason as New Sentence.
- 6. Re-Commitment of a Sex Offender Conditional Discharge, Sex Offender Post-incarceration Supervision, or Post-incarceration Supervision Client
  - a. Upon an arrest due to a violation of Sex Offender Conditional Discharge, an external movement shall be entered with a movement type as Returned from Sex Offender Cond. Discharge and the reason as Technical Violator.
  - b. Upon an arrest due to a violation of Sex Offender Post-incarceration Supervision, an external movement shall be entered with a movement type as Returned from Sex Offender Postincarc Supervision and the reason as Technical Violator.
  - c. Upon an arrest due to a violation of Post-incarceration Supervision, an external movement shall be entered with a movement type as Returned from Postincarc Supervision and the reason as Technical Violator.
  - d. If a Sex Offender Conditional Discharge Client, Sex Offender Postincarceration Supervision Client or Postincarceration Supervision Client receives a new felony conviction prior to having shock probation revoked, an external movement shall be entered marking the movement type as Recd Addl Comm - Prob/Parole Continues and the reason as New Sentence
- 7. External Movements for Halfway House
 

External movements for offenders Halfway Houses shall be entered as follows:

  - a. If a parolee is admitted to a Halfway House, the officer shall enter an external movement marking the type as Residential Program Admission - Parolee and the reason as Parolee in a Halfway House.

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- b. If a parolee is released from a Halfway House, the officer shall enter an external movement marking the type as Discharged and the reason as Alternative Sentence Expired.

8. External Movements for intensive secured substance abuse recovery program (Recovery Kentucky Center)

External movements for offenders in intensive secured substance abuse recovery programs (Recovery Kentucky Center) shall be entered as follows:

- a. If probationer or parolee is admitted to a Kentucky Recovery Center, the officer shall enter an external movement marking the type as Residential Program Admission and the reason as Recovery Kentucky.
- b. If the probationer or parolee is released from a Kentucky Recovery Center, the officer shall enter an external movement marking the type as Discharged from Residential Program and the reason as Completed or, if not completed the program, Residential Program Removal, Absconded, or Self Withdrawal. The movement type shall not reflect Absconder.
- c. If the offender is a drug court participant in a Recovery Kentucky Center, the officer shall note the offender's status as a drug court participant in the comments box in the external movement at the time of admission and discharge.

9. Any movement type not referenced in this policy shall be entered by Offender Information Services upon verification of an applicable action.

## External Movement Type Uses

<b>Movement Type</b>	<b>Reason</b>	<b>When to Use</b>
<b>ALTERNATIVE SENTENCES PROBATION DETENTION</b>		
Special Admission	Alternative Sentence	offenders who are placed in custody for alternative sentence
Released from Jail (not PV)	Alternative Sentence	discharge prior to completion of the alternative sentence
Return to Jail (not PV)	Alternative Sentence	subsequent admission prior to completion of the alternative sentence
Discharged	Alternative Sentence Expired	offender completes service of the alternative sentence
<b>NEW COMMITMENT OF FELON</b>		
New Commitment	Controlled Intake Pending	offender who is not currently incarcerated that is committed as a result of a new felony conviction or probation revocation
<b>PAROLE/SHOCK PROBATION/MANDATORY RE-ENTRY SUPERVISION</b>		
Paroled	most applicable reason	inmate being released from a county jail facility or halfway house on parole supervision
Mandatory Reentry Supervision	most applicable reason	inmate being released from a county jail facility or a halfway house on mandatory reentry supervision
Parole Violator (Arrested)	Technical Violator	Parolee lodged on detainers for technical parole violations
Return to Comm. Supv.	Parole Resumed	Parolee released from custody and returned to supervision without having parole revoked
MRS Violator (Arrested)	Technical Violator	MRS Client lodged on detainers for technical parole violations
Return to Comm. Supv.	Parole Resumed	MRS Client released from custody and returned to supervision without having parole revoked
Shock Probation – Revoked	Technical Violator	shock probationer is recommitted to custody for revocation of shock probation
Returned Parole Violator	New Sentence	parolee receives a new felony conviction that was committed while on parole
Returned MRS Violator	New Sentence	MRS client receives a new felony conviction that was committed while on MRS
Recd Addl Comm – Prob/ Parole Continues	New Sentence	shock probationer, parolee or MRS client receives a new felony conviction prior to having shock probation revoked
<b>SEX OFFENDER CONDITIONAL DISCHARGE/SEX OFFENDER POSTINCARCERATION SUPERVISION, POSTINCARCERATION SUPERVISION</b>		
Returned from Sex Offender Cond. Discharge	Technical Violator	arrest due to a violation of Sex Offender Conditional Discharge
Returned from Sex Offender Postincarc Supervision	Technical Violator	arrest due to a violation of Sex Offender Post-incarceration Supervision
Returned from Postincarc Supervision	Technical Violator	arrest due to a violation of Post-incarceration Supervision
Recd Addl Comm – Prob/ Parole Continues	New Sentence	receives a new felony conviction prior to having shock probation revoked
<b>PAROLE OR PROBATION DISCRETIONARY DETENTION</b>		
Parole Violator (Arrested) or Special Admission	Discretionary Detention Began	parolee or probationer lodged on detainer for discretionary detention
Returned to Community Supervision or Discharged	Discretionary Detention Ended	parolee or probationer released from discretionary detention
<b>HALFWAY HOUSE</b>		
Residential Program Admission-Parolee	Parolee in a Halfway House	parolee admitted to a Halfway House
Discharged	Alternative Sentence Expired	parolee released from Halfway House
<b>RECOVERY KENTUCKY CENTER</b>		
Residential Program Admission	Recovery Kentucky	parolee or probationer admitted to Recovery Kentucky Center
Discharged from Residential Program (Do not select Absconder)	Completed, Residential Program Removal, Absconded, or Self Withdrawal	parolee or probationer released from Recovery Kentucky Center  If is a drug court participant, note in the comments box in the external movement

